REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	16 September 2004
Name of applicant/court:	Secretary for Internal Affairs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Sweet 18 February #58
Other Known Title(s):	Swank's Desires No 58, February 2004
Director(s):	Not Applicable
Producer(s):	Not Applicable
Publisher:	Dogwood Publications Inc
Author(s):	Not Applicable
Format:	Magazine
Country of Origin:	USA
Language(s):	English

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Components of film originally examined: Not Applicable.

Feature: Running Time:

Trailers: Running Time:

Total Running Time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

Either

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept.

and

That the publication must be publicly displayed only in a sealed package.

and

That where the publication is publicly displayed in a package, the package must be made of opaque material.

Or

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept.

and

That the publication must be publicly displayed only in a sealed package.

and

That the publication must be publicly displayed only in premises, or a part of premises, set aside for the public display of restricted publications (whether or not articles other than restricted publications are also displayed in those premises or that part of those premises).

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable

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SUMMARY OF THE REASONS FOR DECISION:

The magazine entitled *Sweet 18 February #58*, is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

A restriction on the publication's availability is necessary due to the publication's explicit depictions of sexual activity and sexualised nudity. The magazine is published in the USA, and consists predominantly of photo-features of young female models, naked or semi-naked, displaying themselves sexually for the reader. The rest of the magazine is made up of advertisements and an article.

This particular issue of the magazine comes very close to, but does not meet the test of promoting or supporting, or tending to promote or support, the exploitation of young persons for sexual purposes. The magazine concentrates on promoting the sexual characteristics of young women, as is obvious from the title. However, the age of the models is either clearly 18 or over. The magazine is careful to avoid describing or depicting young persons, as such. It is also careful to specify that the age of the persons it presents is 18 years or over. In this instance this is sufficient to outweigh and negate those smaller parts of the magazine which are suggestive of the idea of sexual conduct with teenagers or young persons.

The magazine degrades, dehumanises, and demeans women in the manner of some of the content, particularly the advertisements, but not to the extent that the magazine is objectionable because of it, particularly when the dominant effect is taken into account. The restriction of the magazine to adults is a reasonable limit on the rights and freedoms guaranteed in the New Zealand Bill of Rights Act 1990. This is the least restrictive classification that could be applied, given the explicit nature of the magazine.

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